

EXHIBIT 7

U.S. BUREAU OF RECLAMATION

MID-PACIFIC REGION

NORTHERN CALIFORNIA AREA OFFICE TRINITY RIVER RESTORATION PROGRAM

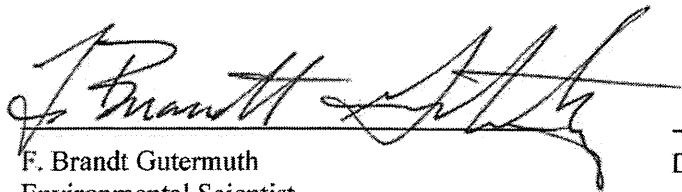
WEAVERVILLE, CALIFORNIA

FINDING OF NO SIGNIFICANT IMPACT

In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and with the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), the Trinity River Restoration Program (TRRP) office of the U.S. Bureau of Reclamation (Reclamation) has found that the Proposed Project, supported by the *Trinity River Channel Rehabilitation Sites: Bucktail (River Mile 105.3-106.35) and Lower Junction City (River Mile 78.8-79.8.) Environmental Assessment/Initial Study (EA/IS)*, will result in no significant impacts on the human environment considering the context and intensity of impacts.

Supporting documentation in the EA/IS was prepared to meet the requirements of NEPA as well as the California Environmental Quality Act (CEQA). The EA/IS is tiered to the *Trinity River Mainstem Fishery Restoration Program Environmental Impact Statement (EIS)* and *Channel Rehabilitation and Sediment Management Activities for Remaining Phase 1 and Phase 2 Sites, Part 1: Final Master Environmental Impact Report (Master EIR)*. The Lower Junction City site is considered a subsequent site-specific project that is tiered to the Master EIR. Although the EA/IS also covered work at the Bucktail Rehabilitation Site, that work is not being proposed at this time and is not covered in this Finding of No Significant Impact.

Recommended by:



F. Brandt Gutermuth
Environmental Scientist,
Trinity River Restoration Program

Date

April 25, 2014

Approved by:



Robin M. Schrock
Executive Director,
Trinity River Restoration Program

Date

April 25, 2014

FONSI No. TR-EA0114

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FINDING OF NO SIGNIFICANT IMPACT

Trinity River Channel Rehabilitation Site Lower Junction City (River Mile 78.8-79.8)

LEAD AGENCY

U.S. Bureau of Reclamation
Trinity River Restoration Program
PO Box 1300
1313 South Main Street
Weaverville, CA 96093
Phone: 530-623-1800
Fax: 530-623-5944
Email: rschrock@usbr.gov

BACKGROUND AND NEED

Completion of the Trinity and Lewiston Dams in 1964 blocked migratory fish access to habitat upstream of Lewiston Dam, eliminated coarse sediment transport from over 700 square miles of the upper watershed, and restricted anadromous fish populations to the remaining habitat below Lewiston Dam. Trans-basin diversions from Lewiston Lake to the Sacramento River basin altered the hydrologic regime of the Trinity River, diminishing annual flows by up to 90 percent. Consequences of diminished flows included encroachment of riparian vegetation, establishment of riparian berms,¹ and fossilization of point bars at various locations along the river, as far downstream as the North Fork Trinity River. These geomorphic changes resulted in a decrease in the diversity of species and age classes of riparian vegetation along the river, impaired floodplain access, and adversely affected fish habitat.

In 1994, the U.S. Fish and Wildlife Service (USFWS) as the federal lead agency began the National Environmental Policy Act (NEPA) process for developing the Trinity River Mainstem Fishery Restoration Environmental Impact Statement (EIS). The 2000 Record of Decision (ROD) for the Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) directed Department of the Interior agencies to implement the Flow Evaluation Alternative as the Preferred Alternative identified in the FEIS/EIR to restore the Trinity River's anadromous fishery. The ROD directed the U.S. Bureau of Reclamation (Reclamation), through the Trinity River Restoration Program (TRRP), to restore the Trinity River fishery by implementing a combination of higher releases from Lewiston Dam (up to 11,000 cubic feet per second [cfs]), floodplain infrastructure improvements, channel rehabilitation projects, fine and coarse sediment management, watershed restoration, and an Adaptive Environmental Assessment and Management Program. The FEIS functions as project-level guidance for policy decisions associated with managing Trinity River flows and as a programmatic NEPA document providing first-tier support of related mechanical restoration and sediment management actions.

The TRRP, acting under the guidance of the Trinity Management Council (TMC), provides overall program direction to restore, enhance, and conserve the natural production of anadromous fisheries, native plant communities, and associated wildlife resources of the Trinity River basin. The TRRP provides technical and administrative support to the TMC related to both scientific evaluation of restoration progress and management implementation. The TRRP is responsible for the overall implementation of the ROD. The Lower Junction City Rehabilitation Site Project ("Proposed Project" or

¹ The condition is not as extensive as early studies indicated (e.g., the Trinity River Flow Evaluation Final Report 1999).

“Project”) is part of the mechanical channel rehabilitation component of the ROD that is designed to create, restore, and enhance the full range of anadromous fish habitats in the Trinity River by restoring fluvial processes. Activities to restore fluvial processes include rescaling the river channel and floodplain and augmenting gravel at high-flow placement areas. Specifically, this project includes reducing riparian encroachment, large woody debris (LWD) placement, physical alteration of alluvial features (e.g., floodplains and side channels), construction of hydraulic structures (wood and log features), and removal/replacement of riparian vegetation at strategic locations. Extensive revegetation of native riparian vegetation (woody and wetland species) and management of upland mixed conifer habitats, to mimic historic conditions, is also planned. These rehabilitation activities are expected to increase habitat suitability and availability for salmonids and other native fish and wildlife species during a wide range of river flow conditions.

PROPOSED PROJECT

The Proposed Project includes work at the Lower Junction City Rehabilitation Site. Activities at the site are proposed for construction beginning in 2014, as funding is available.

The Lower Junction City Rehabilitation Site is a 103.84-acre site located near Junction City, California. The general limits of the site extend from near the Dutch Creek Road Bridge to past the Canyon Creek confluence with the Trinity River, from approximately RM 78.8 to RM 79.8. The site extends downstream from the Dutch Creek Road Bridge in Junction City through the “Junction City Hole,” a large scour hole induced by a bedrock outcrop that provides significant adult salmonid holding habitat. There is a high berm on part of the right bank at this site. The site is immediately below the Upper Junction City Rehabilitation Site, which was constructed in 2012. The Lower Junction City site is almost entirely held in private ownership (99.93 acres), with small portions of Bureau of Land Management (BLM) - (1.37 acres), state- (1.29 acres), and county- (1.20 acres) owned land also occurring within the boundaries. All construction will occur on private lands. The site is found on the Junction City, California 7.5-minute USGS quadrangle, Township 33 North, Range 11 West, Section 12, Mount Diablo Base and Meridian (Figure 3). The river elevation at this site is approximately 1,450 feet above mean sea level. The site can be reached from Dutch Creek Road via SR-299. Activity areas on the right side of the river would be accessed via Dutch Creek Road. Dutch Creek Road via Red Hill Road provides access to Lower Junction City activity areas along the left side of the river. Rehabilitation activities as described in the Master EIR, combined with ROD flow releases, are expected to contribute to the restoration of the Trinity River mainstem fishery. Implementing channel rehabilitation work at the Lower Junction City site would continue implementation of the ROD and would contribute to the restoration of aquatic habitat in the mainstem Trinity River through the development of properly functioning channel conditions.

The Trinity River Channel Rehabilitation Sites: Bucktail (River Mile 105.3-106.35) and Lower Junction City (River Mile 78.8-79.8.) Environmental Assessment/Initial Study (EA/IS) for the project considered two alternatives: the No-Project Alternative and the Proposed Project Alternative. After inclusion of all mitigation measures (discussed in detail in Section 2.4.2 and Appendix A of the EA/IS), no significant impacts were determined for the Proposed Project pursuant to NEPA or the California Environmental Quality Act (CEQA). Details concerning these alternatives and other alternatives considered but not carried forward for evaluation are included in Chapter 2 of the EA/IS. Although the EA/IS analyzed proposed work at the Bucktail Rehabilitation Site as well, only work at the Lower Junction City site is being proposed at this time. The Proposed Project at the Lower Junction City site, summarized below, maximizes environmental benefits with less-than-significant environmental impacts and is preferred for implementation.

An interdisciplinary team of the TRRP identified discrete activity areas within the boundaries of the Lower Junction City site. Activity areas were identified based on the type of activity that would occur in a specific place and include in-channel, riverine, upland, and construction staging work areas, and roads. Riverine activities are labeled with an R followed by the construction site number (e.g., R-1, R-2); upland

activities are labeled with a U followed by the construction site number; in-channel work areas are identified with an IC; wetland/pond areas are identified with a W; riparian improvements are identified with an I; and construction staging/use areas are identified with a C. The TRRP has developed programmatic objectives for channel rehabilitation projects that are described in Chapter 2 of the EA/IS. Each activity area was established to meet a suite of specific objectives in conformance with the overall goals and objectives outlined for the TRRP. Ultimately, the goals of the channel rehabilitation efforts are these: To provide functional aquatic habitat for all life stages of anadromous salmonids over a range of flow conditions; to provide suitable salmonid rearing habitat, presently believed to be a limiting factor in the system; and to reestablish healthy alluvial river geomorphic processes that will maintain high-quality salmonid habitat at a dynamic equilibrium.

The activities proposed at the site are summarized below; additional details are provided in Chapter 2 of the EA/IS. LWD used for construction would be a combination of that obtained on-site during vegetation removal and that obtained from other lawful sources and delivered to the site.

IC-1, IC-2, and IC-3, Meander Complex

This feature is a constructed meander composed of three distinct elements: an excavated bend along the right bank (IC-1), a constructed diagonal riffle (IC-2), and a constructed point bar (IC-3). IC-1 is to be excavated to thalweg elevation with a steep bank slope along its downstream half and a more gently sloping bank along its upstream half. The IC-2 riffle would be constructed of mobile gravel and cobble to an elevation roughly 2 feet higher than the existing bed. The IC-3 bar would be built to an elevation roughly equivalent to the 8,500 cfs stage at its upstream end, and slope downward in the downstream direction to grade into the existing bed about 150 feet downstream. The upstream end of the bar would feature an apex log jam and would be ballasted with gravel with a significant proportion of large cobble for durability. The remainder of the bar downstream from the apex jam would be composed of mobile gravel and cobble and would be stocked with woody debris. The meander complex would create hydraulic diversity that would directly provide a suite of diverse physical habitats in an area that presently offers a narrow range of habitat conditions. The steep slope in the downstream half of the bend is intended to promote post-construction bank erosion, whereas the gentle bank slope in the upstream half of the bend is intended to provide greater channel width, creating hydraulic conditions favorable for maintaining the diagonal riffle.

IC-4, Bar and Channel Expansion

The IC-4 bar expansion (on river right) consists of terrace lowering to approximately the baseflow water surface elevation. The result of this excavation would be to widen an existing bar along the low-flow channel, as well as the channel itself, by about 30 feet. The outer edge of the feature would be excavated to 1-2 feet below the baseflow water surface to create a chute channel that disconnects the emergent bar from the outer bank. A small apex wood jam would be placed at the head of the bar and several smaller woody debris placements would be scattered over its surface. Creation of the IC-4 bar expansion and chute would create additional habitat immediately by increasing low-flow edge length, woody cover, and reducing average flow velocities in the channel. The feature is also intended to reduce terrace confinement to increase the potential for more complex bar morphology to develop in the future.

IC-5 and IC-6, Large Wood Habitat Structures

Two large wood placements consisting of about 25 pieces each would be placed along the left bank opposite the Canyon Creek delta. The IC-5 and IC-6 wood structures would provide highly complex cover habitat and encourage scour that would diversify the local bed topography and hydraulic conditions. The channel adjacent to the Canyon Creek delta is currently characterized by monotonous plain bed topography that lacks cover and habitat complexity. These wood structures are expected to generate scour holes near their bases and potentially lead to localized erosion along the edge of the Canyon Creek delta. As they would not be engineered to withstand large floods, they are likely to release wood for redistribution over time.

R-1 and R2, Floodplain

A terrace surface adjacent to the IC-1, IC-2, and IC-3 meander would be lowered to create a new floodplain area that progressively inundates over a flow range from near baseflow to about 8,000 cfs. The floodplain would have complex topography designed to limit overbank flow conveyance so as to provide slow-water habitat and maintain sediment transport continuity at all flows. It would be highest near its upstream end and along the edge nearest the channel, with an elevation target near the 8,500 cfs stage. The surface would slope downward from that crest elevation toward the north and toward the east, creating a northward sloping swale along its eastern margin that branches into two swales at the far downstream end of the feature. The floodplain and swales would grade to near the existing bed elevation at its downstream end, creating a pair of small baseflow alcoves. The floodplain would be stocked with woody debris, especially in the downstream portions of the swales. The R-1, R-2 floodplain would provide an increasingly large area of slow water habitat with increasing discharge. The area of inundated habitat would cover nearly the entire floodplain area as discharge approaches bankfull stage. However, limited flow conveyance would ensure that area inundates primarily from its downstream end, keeping overbank flow velocities relatively low. Limited overbank conveyance would also ensure that sediment transport capacity in the main channel would be maintained. Overtopping of the crest at the upstream end of the floodplain at flood stage would permit periodic flushing of fines from the floodplain swales so as to maintain the downstream connectivity. The area would eventually provide wood and allochthonous trophic production to the aquatic ecosystem, as well serve as a high-flow refugia with abundant cover.

R-3, Floodplain

The R-3 floodplain feature involves lowering of an existing floodplain and low terrace area adjacent to the Junction City Hole. The surface would be lowered to the 2,000 cfs stage at its northern end adjacent to the main channel and grade upward to the 4,500 cfs stage toward the southwest. The area would be stocked with woody debris. The R-3 area has been used in recent decades as a parking area and so is compacted and devoid of vegetation. Modest lowering would put the entire area at an elevation suitable for natural recruitment of riparian vegetation. In addition, the area would provide fry and juvenile salmonid rearing habitat at discharges of 2,000 cfs and up. The area would eventually provide wood and allochthonous trophic production to the aquatic ecosystem, as well serve as a high-flow refugia with abundant cover.

R-4, Floodplain

The main lobe of the R-4 floodplain area represents a floodplain surface with an elevation equal to the 4,000 cfs stage that has been excavated out of the existing terrace. The surface is essentially flat with a small downstream slope. The thin finger of the R-4 area that extends upstream along the upstream half of the IC-4 bar expansion area is too narrow to contain a level surface, and so represent the slope from IC-4 to the existing terrace level. The R-4 floodplain creates an additional connected floodplain surface that would eventually provide allochthonous trophic production to the aquatic ecosystem and slow-water habitat with cover during periods of moderately high flow.

R-5, Clearing and Grading

The R-5 area would be cleared of invasive blackberry vines. The area currently contains little or no desirable native vegetation. Clearing and limited grading to remove blackberry would give alternative vegetation an opportunity to colonize the area, potentially resulting in a more diverse stand of riparian vegetation.

I-1, Riparian Improvement

A variety of tree species (e.g., cottonwood, red willow, shiny willow) would be interplanted within the existing habitat to increase structural diversity for wildlife habitat.

W-1, Riparian Surface/Wetland Area

W-1 consists of excavation to lower a relatively low upland area by 2 to 3 feet. The W-1 area is currently slightly too high to allow for natural riparian colonization. Modest lowering of the area would make it

suitable for riparian recruitment and provide an area in which natural recruitment can help meet riparian compliance objectives. It is anticipated that native riparian vegetation would develop in this area.

W-2, Wetland Connections

Excavation in the W-2 area would remove road prisms between 10 and 20 feet thick that currently separate wetland swales to the west from a large wetland area to the east. Removal of the road prisms would improve habitat connectivity for terrestrial wildlife.

U-1, U-2, and U-3, Upland Spoils Areas

These are areas for disposing of spoils from excavation. It is anticipated that there would be about 25,000 CY of excavated material to spoil.

C-1, C-2, and C-3, Contractor Use Areas

Contractor use areas would be used for construction access, staging, stockpiling, mobilization, gravel processing, and other necessary construction activities during implementation. Depending on landowner goals and objectives, each contractor use area may be improved back to pre-construction condition or decommissioned.

C-4, C-5, C-6, C-7, and C-8, Access Roads

Construction access roads would be required to complete the Project. Because scrapers would likely be utilized for excavation of channels and floodplains, these roads would be essential for safety and efficiency. Post-Project, access roads would be returned to pre-construction condition, decommissioned, or left as improved, according to landowner approval.

Revegetation

Revegetation consists of site layout, preparing planting areas, planting a mixture of upland and riparian plant species, and potentially post-planting irrigation furnished by the Contractor. The grading plan avoids removing patches of existing riparian vegetation within the site that currently provide cover and a readily available seed source immediately after construction. Constructed side channel slopes would be planted to provide cover for wildlife and fish, shade the channel, speed riparian vegetation recovery, and increase woody plant and age class diversity. Constructed benches and bars are specifically targeted for woody riparian revegetation. Wetland species would be planted in areas appropriate for an individual species' tolerance to varying lengths of inundation. Planted material may be nursery grown and sizes vary by plant species. Irrigation systems would potentially be installed as needed in all revegetated areas.

Proposed Project Summary

Overall, the activities proposed for the Lower Junction City Rehabilitation Site are intended to emphasize reconnecting the river's floodplain with the river, establishing or expanding side-channel habitat, and enhancing the bed and banks of the Trinity River to promote well-distributed aquatic habitat (wetted edge habitat) over a range of flows. Collectively, these activities are intended to enhance aquatic habitat for anadromous fish under a range of flow conditions.

The Proposed Project meets the requirements of the Trinity River ROD, the Endangered Species Act (ESA), the Clean Water Act, NEPA, the Clean Air Act, the Wild and Scenic Rivers Act, the National Historic Preservation Act, and the BLM Redding Resource Management Plan (RMP), as amended by the Northwest Forest Plan. The Riparian Revegetation Management Plan, prepared in cooperation with the California Department of Fish and Wildlife (CDFW), U.S. Army Corps of Engineers (USACE), and the Regional Water Quality Control Board – North Coast Region (Regional Water Board), will be implemented to ensure that riparian habitat (e.g., riparian vegetation) is restored in a manner (species and size classes) that supports the TRRP objective of restoring the form and function of an alluvial river over time. Implementation of the Riparian Revegetation Management Plan will also ensure that the State of California's requirement of "no net-loss of riparian habitat" is met through a 1:1 replacement of affected riparian habitat over time. Project monitoring requirements will allow critical evaluation in order to adjust future rehabilitation plans to incorporate those practices that perform best in the field. A

comprehensive discussion of these rehabilitation site activities is provided in Chapter 2 of the Draft Master EIR.

FINDINGS

The No-Project Alternative and Proposed Project Alternative were evaluated in the EA/IS with respect to their impacts in the following issue areas: land use; geomorphic environment; water resources; water quality; fishery resources; vegetation, wildlife, and wetlands; recreation; socioeconomic; cultural resources; air quality; visual resources; hazards and hazardous materials; noise; public services and utilities/energy; transportation/traffic circulation; environmental justice; and tribal trust. Based on the following summary of the implementation effects of the Proposed Project (as discussed fully in the EA/IS), there would be no significant impacts to the quality of the human environment.

Land Use

The Proposed Project is located in Trinity County, California and would be consistent with Trinity County's General Plan and Zoning Ordinance, which provides development standards for land in Trinity County, including areas located within the Trinity River floodplain. Short-term land use impacts resulting from the Proposed Project would be minimal because of Project design criteria that require maintenance of public and private access to the Trinity River, adjacent residents, and businesses. Additionally, Project implementation would not prevent existing land uses from continuing or impede future land uses. Therefore, the Proposed Project would not have a significant impact on land use.

Geology, Fluvial Geomorphology, and Soils

Implementation of the Proposed Project is consistent with the 10 healthy river attributes described in the Trinity River Flow Evaluation Study that provide a basis for the TRRP efforts to restore and enhance native fish and wildlife populations. Project construction activities and disturbance would increase the potential for short-term wind and water erosion. However, Project implementation would include sediment and erosion control measures to reduce and avoid potential short-term construction impacts on soils. Therefore, the Proposed Project would not have significant impacts on geologic resources or processes.

Water Resources

Based on the USACE Hydraulic Engineering Center River Analysis System (HEC-RAS) model, implementation of the Proposed Project, including excavation or placement of alluvial materials in the 100-year floodplain and low-flow channel, would not increase the base flood elevation of the Trinity River. Additionally, Project implementation would not result in significant risk of injury, death or loss involving flooding or erosional processes. The proposed activities are expected to have minimal, if any, effects on groundwater elevations or groundwater quality. Therefore, the Proposed Project would not have a significant impact on water resources.

Water Quality

Implementation of the Proposed Project, including construction activities in and adjacent to the low-flow channel, could temporarily increase turbidity and total suspended solids in the water column. It could also result in a spill of hazardous materials (e.g., grease, solvents) into the Trinity River. Construction activities would be staged and timed to minimize potential water quality effects, and appropriate mitigation measures would be implemented to avoid and reduce water quality impacts. Therefore, the Proposed Project would not have a significant impact on water quality.

Fisheries Resources

To comply with Section 7 of the ESA, Reclamation initiated informal consultation with the National Marine Fisheries Service (NMFS) concerning project effects on the federally and state-listed (threatened)

Southern Oregon/Northern California Coast (SONCC) evolutionarily significant unit (ESU) of coho salmon. NMFS affirmed that certain non-flow measures, including the mechanical rehabilitation and sediment management projects identified in the ROD, were considered in its 2000 Biological Opinion issued in response to the FEIS/EIR. In that Biological Opinion, NMFS identified implementation of mechanical rehabilitation projects as reasonable and prudent measures to minimize Trinity River Division effects on SONCC ESU coho salmon. Subsequent to the ROD, NMFS provided the TRRP with documentation necessary to ensure that the 2000 Biological Opinion did in fact consider the types of activities associated with the Proposed Project.

Reclamation recently began to engage in informal technical consultation with NMFS in order to update the 2000 Biological Opinion. In support of a formal re-consultation under Section 7 of the ESA and to obtain an updated Biological Opinion, Reclamation is currently preparing a new Biological Assessment that focuses on advances in and changes to actions associated with the TRRP Implementation Program since 2000 (i.e., the rationale for the continuing adaptation of techniques for channel rehabilitation and fine and coarse sediment management since program inception) that will be used by the NMFS as the information basis for writing their Biological Opinion. While the reinitiated Section 7 consultation is underway and a new Biological Opinion is in development, the 2000 Biological Opinion remains in effect. Reclamation will continue to coordinate with NMFS as it implements the terms and conditions of the 2000 Biological Opinion.

Any temporary construction impacts on fish-rearing habitat are expected to be offset by permanent beneficial changes to physical rearing habitat associated with project implementation. Collective improvements in fluvial channel dynamics contributed by the Proposed Project, in conjunction with future channel rehabilitation projects throughout the Trinity River between Lewiston Dam and the North Fork Trinity River, are ultimately expected to improve rearing habitat diversity for all anadromous salmonids. Because of the Proposed Project's inclusion of mitigation measures to protect fishes and generally localized effects, no significant effects would occur to fisheries resources.

Vegetation, Wildlife, and Wetlands

Construction activities associated with the Proposed Project would result in a temporary loss of riparian vegetation, but the value provided by this vegetation would be offset by restoring floodplain function and riverine processes. Revegetation of alluvial features (i.e., floodplains) would increase structural and species diversity and would speed reestablishment of native riparian vegetation. Long-term changes in river inundation periods are expected to increase both seasonal and perennial riparian habitats.

Reclamation has conducted informal consultation with the USFWS concerning effects to the ESA-listed northern spotted owl (*Strix occidentalis caurina*). Aerial imaging, data interpolation, and pedestrian surveys indicate that habitat within the Project area does not possess features associated with suitable nesting, roosting, or foraging habitat for northern spotted owl. Based on the consultation, the known lack of suitable habitat and spotted owl nests in the area (nest data provided by the Shasta-Trinity National Forest), and Trinity River bird distribution data provided by the Forest Service's Redwood Sciences Laboratory, Reclamation determined that a biological assessment was not required because the project would have no effect on the northern spotted owl or its critical habitat. Riparian habitat, which is considered a sensitive natural community by the CDFW, is present in the Project areas along the Trinity River. Critical Winter Range for raptors is also present in areas along the Trinity River.

Specific design and contract criteria are included in the Project description to ensure that activities occur in a manner that addresses potential impacts to special-status species, including avian and amphibian species. These activities and prescriptive measures, combined with riparian revegetation, ensure that the Proposed Project will not result in significant impacts to vegetation, wildlife, and wetlands.

Recreation

The Trinity River was federally designated as a National Wild and Scenic River in 1981. Implementation of the Proposed Project would result in a long-term benefit to the form and function of the Trinity River, thereby enhancing the Outstandingly Remarkable Values for which it was designated as a Wild and Scenic River, including its anadromous fishery. Implementation of the Project would alter the riverine environment; however, construction activities would not permanently affect the scenic or recreational values of the Trinity River for which it was designated. Although the Proposed Project could result in limited temporary interruptions of public access and use, river access would continue to be available.

Currently, there are a number of river access points located near the Lower Junction City site. These areas provide a variety of recreation opportunities such as fishing, whitewater rafting, picnicking, and wildlife viewing. Because of the continued availability of river use and access, the generally localized effects, and inclusion of mitigation measures to protect recreationists, impacts on recreation resulting from Project implementation would not be significant.

Socioeconomics, Population, and Housing

The Proposed Project could directly generate short-term income growth through the payment of wages and salaries, but would result in little long-term increased economic activity. Because of the limited Project size and duration, there would be no significant impact on socioeconomic conditions, population, or housing.

Tribal Trust

TRRP's overarching goals of restoring, enhancing, and conserving the natural production of anadromous fisheries, native plant communities, associated wildlife resources, and overall health of the Trinity River basin are consistent with federal Tribal Trust responsibilities. The primary TRRP goals originate partly from the federal government's trust responsibility to protect fishing rights for ceremonial, subsistence, and commercial purposes of the region's Indian tribes. Several short-term impacts that would affect Tribal Trust assets are considered acceptable provided that long-term fishery and healthy river goals are supported. These impacts are generally associated with construction activities that would temporarily affect fish and wildlife resources, vegetation, and water quality in the rehabilitation site. Potential impacts on Tribal Trust assets would be minimized by Project design criteria and mitigation measures implemented to protect Tribal Trust assets. While some level of impact to fisheries and water quality cannot be avoided during construction activities, the impacts that would occur to these Tribal Trust assets would be kept at a less-than-significant level. Therefore, the Proposed Project would not have a significant impact on Tribal Trust assets.

Cultural Resources

Implementation of the Proposed Project would effectively avoid, minimize or mitigate impacts to cultural resources as described in the Programmatic Agreement (PA) executed between Reclamation and the State Historic Preservation Office in 2000. By following the stipulations of the PA, there would be minimal impacts to cultural resources and all actions under CEQA and the National Historic Preservation Act would be fulfilled. Reclamation will continue to work with BLM cultural staff to ensure that implementation plans are consistent with the PA. Reclamation commits to fulfilling the stipulations of the PA prior to implementation of the Proposed Project. If cultural materials or human remains are encountered during work for the Project, construction would be halted and the proper agency contacted. Because of the pre-project cultural resource survey and mitigation measures to cover potential finds during construction, impacts to cultural resources during implementation of the Proposed Project would not be significant.

Air Quality

Construction associated with the Proposed Project requires the use of equipment that would temporarily contribute to air pollution in the Trinity River basin in the form of ozone precursors, particulate matter (PM₁₀), and greenhouse gas emissions. Because Reclamation would include provisions in construction contract documents that minimize construction-related impacts on air quality resulting from Project activities, the Proposed Project would not result in a significant impact on air quality.

Environmental Justice

There is no evidence to suggest that the Proposed Project would cause a disproportionately high adverse human health or environmental effect on minority or low-income populations. The Proposed Project would not have a significant impact on environmental justice issues.

Visual Resources

Over the long-term, implementation of the Proposed Project is expected to complement the visual resources and aesthetic values of the Project area by restoring the function and form typical of an alluvial river. Design of the Proposed Project incorporates the diversity of the landscape and vegetation types in the Project vicinity into the character of the rehabilitated riverine and upland areas. Retention of existing topographic features would lessen the degree of visual impacts and improve the aesthetic quality of the affected reach of the Trinity River. Changes to the landscape would not be noticeable in the long term. Based on these findings, the Proposed Project would not have a significant impact on aesthetics.

Hazardous Materials

Implementation of the Proposed Project would potentially release hazardous materials through accidental spills that could pose a public hazard. However, Reclamation would ensure that the contractor follows Best Management Practices to prevent the release of hazardous materials into the environment (e.g., oils, gasoline) and to provide adequate response measures in case a spill does occur. These practices would ensure that implementation of the Proposed Project would not have a significant impact with respect to hazardous materials.

Noise

Construction and traffic associated with the Proposed Project would generate noise. To minimize potential noise impacts, construction activities would be scheduled between 7:00 a.m. and 7:00 p.m. Monday through Saturday. Additional time constraints may be imposed for activities occurring immediately adjacent to residences. During working hours, Reclamation would ensure that the contractor operates all equipment to minimize noise impacts to nearby sensitive receptors (residences, etc.) so that no significant Project impacts from noise would occur.

Public Services and Utilities/Energy

Construction work and temporary road closures would be staged in a manner to allow for access by emergency service providers. Therefore, no significant effects to public services would result from implementation of the Proposed Project.

Transportation/Traffic Circulation

Implementation of the Proposed Project would minimize the use of heavy construction equipment to transport material to and from the Project site. Equipment would be staged on site during construction. Since local roads are built to service occasional heavy equipment traffic, no measurable road wear would result from ingress or egress of construction equipment or during hauling of restoration materials to the site. For safety reasons, Reclamation would ensure that the contractor implements a traffic control plan to protect the public during construction. Implementation of these planning measures would ensure that no significant effects to traffic circulation would result from Project implementation.

SUMMARY

Implementation of the Proposed Project, including mitigation measures, would contribute to the long-term environmental quality and sustainability of the Trinity River ecosystem with no significant adverse impacts to the environment.

FINDING OF NO SIGNIFICANT IMPACT in ACCORDANCE with 40 CFR 1508.27

After considering the environmental effects described for the Proposed Project in the *Trinity River Channel Rehabilitation Sites: Bucktail (River Mile 105.3-106.35) and Lower Junction City (River Mile 78.8-79.8) EA/IS*, it has been determined that implementation of the Project at the Lower Junction City site will not have a significant effect on the quality of the human environment considering the context and intensity of impacts. Therefore, an EIS is not needed. This determination is based on the analysis in the EA/IS and the context and intensity of the following factors (40 CFR 1508.27):

- 1) **There will be no significant effects, beneficial or adverse, resulting from implementation of this project.** The finding is not biased by the beneficial effects of the action. The construction of the Proposed Project at the Lower Junction City Rehabilitation Site is expected to provide localized improvements in aquatic and riparian habitats currently present at the site. The Project will assist in meeting long-term needs to enhance fish habitat and provide properly functioning river conditions. Viewed within the context of a *healthy* Trinity River, and against implementing the larger river restoration program required under the ROD, this channel rehabilitation Project will not result in any significant impacts.
- 2) **Public health and safety are not significantly affected by the project.** Due to the limited duration of the Project and implementation of public safeguards, public safety will not be at risk. Standard Reclamation practices for notifying the public of heavy equipment activities will be implemented during construction activities.
- 3) **There will be no significant adverse effects on prime farmlands, park lands, floodplains, wetlands, historic or cultural resources, scenic rivers, ecologically critical areas, civil rights, women, or minority groups.** Although there will be no significant adverse effects in these areas, the Project will result in a minor amount of disturbance to river attributes while enhancing the outstandingly remarkable value—the anadromous fishery—for which the river was designated in the Wild and Scenic River system. This Project is programmatically tiered to the Trinity River Mainstem Fishery Restoration Program EIS, which recommended implementation of the six components of the ROD. The Proposed Project, which involves implementation of a subset of channel rehabilitation actions from the ROD, has no significant impacts within the context of the entire array of ROD restoration components.
- 4) **Based on public participation and the involvement of resource specialists, effects of the Proposed Action on the quality of the human environment are not expected to be highly controversial.** A public outreach meeting was held on June 4, 2013 to solicit stakeholder input and values, and to relate values to the measured metrics of each design alternative for the Lower Junction City site. As part of the public involvement process for this site, Reclamation used a stream restoration decision analysis and design guidance tool (Stream Project Tool) that was created to define and implement a rational, objectives-driven approach to evaluating and designing stream restoration projects. Using the Stream Project Tool, stakeholders were given the opportunity to participate in the scoring of proposed alternative designs for the site. The TRRP held an additional meeting to discuss work on the river at the Lower Junction City site on November 6, 2013.

In addition, TRRP staff members continue to meet with local groups (e.g., fishing guides and mining groups) and landowners from the Junction City area in order to obtain stakeholder input and advice as well as to address concerns. Specifically, TRRP staff has worked closely with the local Trinity River Guides Association (TRGA) to understand their concerns and to adjust the Proposed Project to

alleviate these concerns where possible. TRRP staff have attended fishing guide meetings and floated the river with individual guides in order to gain their project insights.

The EA/IS was made available for public review when the document was submitted to the State Clearinghouse on December 13, 2013. The document was circulated to local, state, and federal agencies and to interested organizations and individuals for review and comment on the analysis provided in the document. The public scoping period ran from December 13, 2013 to January 13, 2014. An open house was held on December 17, 2013 at the Trinity County Library to describe the Proposed Project and receive public input. Concurrent with this review period, public notice was provided to solicit additional comments from the public and interested parties. Public notice included: advertisement(s) in the local Trinity Journal newspaper, letters mailed to local landowners, notices to email interest groups, and public notice posted at the project sites informing the public of the availability of the EA/IS for review. Twenty-three comments were received during the public comment period for the EA/IS. The federal and state lead agencies have responded to the comments received (included in Appendix B of the EA/IS). Because of the public concern, changes were made to the proposed project, as described below.

The EA was updated to clarify that funding is not available to complete the Bucktail channel rehabilitation project in 2014 and that it is the intent of the TRRP to construct the Bucktail channel rehabilitation project in coordination with the building of a new Bucktail Bridge. The Bucktail channel rehabilitation project would be implemented when the potential for the Bucktail Bridge to be replaced is better clarified. At that time, portions of the Bucktail channel rehabilitation project would be redesigned and supplementary environmental review documents developed and circulated for review as needed. Seventeen comment letters were received objecting to the proposal to relocate the existing public boat launch to an area just downstream of the Bucktail Bridge. The Draft EA/IS review period afforded the opportunity to gauge community support for the development of an improved facility in the downstream location. After reviewing the proposal and considering public input, the BLM determined that relocation of the current Bucktail boat launch facility to downstream of the Bucktail Bridge will no longer be considered.

With input from technical staff from the lead, cooperating, and responsible agencies, environmental, social, and economic issues were addressed, including the changes to the Project described above, such that this Project should avoid major scientific controversy over environmental effects.

- 5) **There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks.** The effects of the Proposed Project have been clearly evaluated in the EA/IS. Similar activities have been completed at past channel rehabilitation sites and collected data and analyses have determined that no unique or unknown impacts to the human environment have resulted.
- 6) **These actions do not set a precedent for other projects that may be implemented to meet the goals and objectives of the Trinity River Restoration Program.** The Trinity River Mainstem Fishery Restoration EIS, the ROD, and the Trinity River Flow Evaluation Report all evaluated and recommended channel rehabilitation projects on the Trinity River below Lewiston Dam. The environmental effects of future projects will be analyzed based on need dictated by the ROD, but the need will be balanced by any new information collected during implementation of this Project and other recently implemented projects.
- 7) **There are no known significant cumulative effects from this Proposed Project and other projects implemented or planned on areas separated from the affected area of this Project beyond those assessed.** While some short-term adverse direct and indirect effects may result from the Project, these effects have been analyzed in the EA/IS, and will not lead to significant cumulative effects. Potentially significant long-term Project effects from implementation of the ROD were evaluated in the Trinity River Mainstem Fishery Restoration EIS. When considered in the context of

Finding of No Significant Impact

cumulative watershed effects, the Project is intended to improve the alluvial processes and function of the mainstem Trinity River and at the same time improve the ability of the Trinity River to mobilize and transport sediment. Cumulative short-term impacts such as soil disturbance and turbidity would occur in response to the Project, but not to an extent that would cause significant impacts to downstream water quality.

- 8) **Based on surveys accomplished prior to this decision, this action will not adversely affect sites or structures eligible for the National Register of Historic Places, or cause loss or destruction of significant scientific, cultural, or historic resources.** Reclamation and the BLM work closely with the Hoopa Valley Tribe and the Yurok Tribe as both sit on the TMC, which oversees the TRRP, and both participate in the designing of these projects. The Hoopa Valley Tribe is also a signatory on the PA. Pursuant to the PA (Stipulation IV) Reclamation has consulted with Indian tribes, Native American organizations, and individuals regarding implementation of the PA and its stipulations to protect tribal interests. Based on Project design and measures described in the EA/IS, the decision maker has determined that the Project will not result in the destruction of scientific, cultural, tribal, or historic resources.
- 9) **The Project would not adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** A biological opinion addressing foreseeable TRRP activities was written in response to a biological assessment that reflected the findings in the Trinity River Mainstem Fishery Restoration EIS. The opinion was written because Trinity River coho salmon are federally listed as threatened. The opinion describes adverse effects that could result from the channel rehabilitation measures that are included in the preferred alternative described in the EIS. Such adverse effects were determined to be minor and short-lived, dwarfed by the long-term beneficial outcome from implementing the Proposed Project.

Informal consultation with the USFWS concerning effects to the ESA-listed northern spotted owl was conducted by Reclamation. Based on this informal consultation, known lack of suitable habitat and spotted owl nests in the area (nest data provided by the U.S. Forest Service), and Trinity River bird distribution data provided by the Redwood Sciences Laboratory, Reclamation determined that a biological assessment was not required since the Project would have no effect on the northern spotted owl or its critical habitat.

No federally or state-listed threatened or endangered plant species occur within or adjacent to the site boundaries defined for the Project.

- 10) **Implementation of the Project does not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.** Implementation of the Proposed Project does not threaten violation of any laws. Its implementation meets requirements under the ROD, the ESA, the Clean Water Act, the Federal Land Protection and Management Act (FLPMA), NEPA, the Clean Air Act, the Wild and Scenic Rivers Act, the National Historic Preservation Act, and BLM's RMP for the Redding Field Office.

The Project described in this finding is fully consistent with BLM's RMP, FLPMA, and CEQA. The following permits are required to authorize the project:

- Section 404, Clean Water Act, Nationwide Permit 27 (San Francisco District, USACE);
- Section 401, Clean Water Act Water Quality Certification (Regional Water Board);
- Section 10, Endangered Species Act, Incidental Take Permit (NMFS);
- Encroachment Permits (Trinity County or California Department of Transportation); and
- Floodplain Development Permit (Trinity County).

Findings Required by Other Laws and Regulations

The Proposed Project to implement the rehabilitation activities, including those specifically under the jurisdiction of BLM, is consistent with the intent of the RMP with respect to resource management conditions. The Project is also consistent with the direction provided in the BLM's Trinity River Recreation Area Management Plan.

Implementation Date

The Proposed Project is expected to be constructed beginning in summer 2014, depending on financial and environmental clearances. Heavy civil construction will end in-river in September and will be completed by December. Revegetation will be conducted, as needed, in fall and winter months following construction.

Contact

For additional information concerning the Proposed Project, contact Brandt Gutermuth, Project Manager, Trinity River Restoration Program, P.O. Box 1300, and 1313 Main Street, Weaverville California, 96093.

